

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**AL STEWART,
Acting Secretary of Labor,
United States Department of Labor,**

Petitioner,

v.

Case No. 8:21-mc-37-JSM-AAS

COPPER SHARK ELECTRICAL LLC,

Respondent.

_____ /

ORDER

Al Stewart, Acting Secretary of Labor, United States Department of Labor (Secretary of Labor), requests that the court compel Copper Shark Electrical LLC (Copper Shark) to produce documents in response to an administrative subpoena *duces tecum*. (Doc. 1).

Wage and Hour Division Investigator Carlos Serrano was assigned to investigate Copper Shark's coverage under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §§ 201, et seq., and its compliance. (Doc. 1, Ex. A, ¶ 3). As part of the investigation, Mr. Serrano requested Copper Shark provide its corporate, payroll, and timekeeping documents. (*Id.* at ¶ 6). Copper Shark did not provide the requested information.

On October 28, 2020, the Department of Labor issued an administrative

subpoena requesting Copper Shark's payroll records, gross volume of sales, governance structure, and employee timesheets. (Doc. 1, Ex. B). The deadline for production was November 8, 2020. (*Id.*). Copper Shark failed to respond to the subpoena.

On February 1, 2021, the Secretary of Labor's counsel notified Copper Shark of his intent to file a petition to enforce the subpoena. (Doc. 1, Ex. A, ¶ 26). On February 3, 2021, Copper Shark responded that it would produce the documents by February 5, 2021. (Doc. 1, Ex. A, ¶ 27). To date, Copper Shark has not provided the Secretary of Labor with documents in response to the subpoena.

Accordingly, the Secretary of Labor's motion to compel Copper Shark to respond to the administrative subpoena *duces tecum* (Doc. 1) is **GRANTED**:

(1) Copper Shark's response to the administrative subpoena *duces tecum* is due by **May 10, 2021**. The Secretary of Labor must serve a copy of this order, with a copy of the motion and accompanying papers, on Copper Shark by **April 26, 2021**, and file a notice of compliance.

(2) A hearing to address any outstanding production deficiencies is scheduled for **June 14, 2021 at 10:00 a.m.** in Tampa Courtroom 10B before the undersigned. If a hearing is unnecessary, the Secretary of Labor may move to cancel the hearing and request that this miscellaneous case be closed.

ORDERED in Tampa, Florida, on April 20, 2021.

A handwritten signature in black ink, reading "Amanda Arnold Sansone". The signature is written in a cursive, flowing style.

AMANDA ARNOLD SANSONE
United States Magistrate Judge

Copies to:

Copper Shark Electrical LLC
10120 Briar Circle
Hudson, FL 34667